

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00440

Todrick Morris,
Plaintiff,

v.

Suleiman Aliu et al.
Defendants.

ORDER

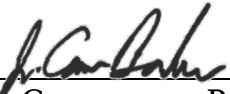
Plaintiff Todrick Morris, a prisoner confined within the Texas Department of Criminal Justice (TDCJ) proceeding pro se and *in forma pauperis*, filed this lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell.

On January 31, 2024, the magistrate judge issued a report, recommending that defendants' motion for summary judgment (Doc. 57) be granted, in part, and denied in part. Doc. 66. Specifically, the magistrate judge recommended that the motion be granted to the extent that plaintiff's request for declaratory relief and claims against defendants in their official capacities are dismissed with prejudice. Finally, in all other respects, the magistrate judge recommended that defendants' motion for summary judgment be denied, and that plaintiff's claims of excessive force and bystander liability remain before the court.

A copy of this report was sent to the parties. To date, the parties have not filed objections. When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation.

Defendants' motion for summary judgment (Doc. 57) is granted in part and denied in part. Plaintiff's request for declaratory relief and all claims against defendants in their official capacities are dismissed with prejudice. In all other respects, defendants' motion for summary judgment is denied.

So ordered by the court on February 27, 2024.



J. CAMPBELL BARKER
United States District Judge